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DOCKET NO.: 9511-108-27 CONT

ASSISTANT COMMISSIONER FOR PATENTS  
PO BOX 1450  
ALEXANDRIA, VA 22313-1450

Re: Serial No.: 10/660,748  
Applicant(s): MICHAEL I. BUKRINSKY, ET AL.  
Filing Date: SEPTEMBER 12, 2003  
For: COMPOUNDS AND METHODS OF USE TO TREAT  
INFECTIOUS DISEASE  
Group Art Unit: 1624  
Examiner: RICHARD L. RAYMOND

SIR:

Attached hereto for filing are the following papers:

**AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT**

Our check in the amount of \$ -0- is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary extension of time to make the filing of the attached documents timely, please charge or credit the difference to Deposit Account No. 50-1442. Further, if these papers are not considered timely filed, then a request is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

PIPER RUDNICK LLP



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DOCKET NO. 9511-108-27 CONT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Michael I. BUKRINSKY, et al. ART UNIT: 1624

SERIAL NO.: 10/660,748

EXAMINER: Richard L. Raymond

FILING DATE: September 12, 2003

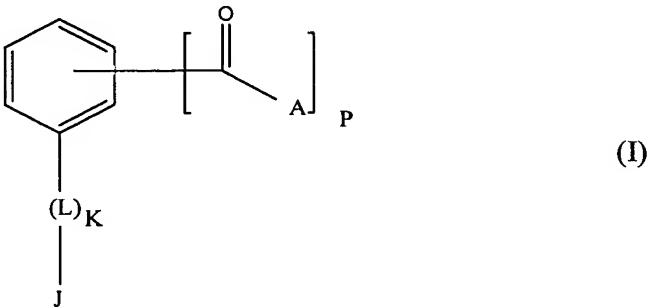
FOR: COMPOUNDS AND METHODS OF USE TO TREAT INFECTIOUS  
DISEASE

**AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT**

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SIR:

Responsive to the Restriction Requirement dated April 14, 2004, Applicants elect, albeit with traverse, Group II, Claims 12-19. In addition, as an elected species, Applicants elect, also with traverse, the species of the compound having the following formula (I) wherein K = 1 and L is a linker group containing an oxygen atom:



wherein A, independently, =  $\text{CH}_3$ ,  $\text{CH}_2\text{CH}_3$ ,  $\text{COH}$ ,  $\text{COCH}_3$ ,  $\text{COCH}_2\text{CH}_3$ ,  $\text{CH}_2\text{COCH}_3$ ,  $\text{CH}_2\text{COCH}_2\text{CH}_3$ ,  $\text{C}(\text{CH}_3)_2\text{COCH}_3$ , or  $\text{C}(\text{CH}_3)_2\text{COCH}_2\text{CH}_3$ ; P = 1 or 2; and wherein J represents (i) a saturated or unsaturated, substituted or unsubstituted, straight or branched acyclic hydrocarbon group; (ii) a saturated or unsaturated, substituted or unsubstituted, straight or branched acyclic group containing hetero atoms such as nitrogen, sulfur or oxygen; (iii) a substituted or

unsubstituted, saturated or aromatic, mono- or poly- cyclic group having 3 to 20 carbon atoms; or  
(iv) a substituted or unsubstituted, saturated or aromatic, mono- or poly- heterocyclic group  
having 3 to 20 atoms, at least one of which is nitrogen, sulfur or oxygen.

Originally presented Claims 1-6, 9-21 and 23-25 and newly added Claims 26-34 (*vide infra*) read on the elected species.

In addition, entry of the following amendments is kindly requested.